

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MUHAMMED KHLAIFA,

Plaintiff,

v.

Case No. 11-cv-11841  
Paul D. Borman  
United States District Judge

LUBERT ADLER, INC., a Domestic  
Profit Corporation; LUBERT-ADLER  
MANAGEMENT GP, LLC, a Foreign  
Limited Liability Company; LUBERT  
ADLER MANAGEMENT COMPANY, LLC,  
a Foreign Limited Liability Company;  
LUBERT-ADLER MANAGEMENT, LLC,  
a Foreign Limited Liability Company,

Defendants.

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**ORDER FINDING ORDER TO SHOW CAUSE SATISFIED**

On April 27, 2011, Defendants Lubert Adler Management Company, LLC, and Lubert-Adler Management, LLC, filed a Notice of Removal asserting subject matter jurisdiction based on diversity of citizenship. (Dkt. No. 1.) On May 9, 2011, the Court issued an Order to Show Cause why this case should not be remanded, specifically noting five significant defects with Defendants' filing. (Dkt. No. 5.) Defendants responded on May 24, 2011. (Dkt. No. 7.)

Pursuant to Defendants' First Amended Notice of Removal (Defs.' Resp. Ex. 7), the Court finds the May 9, 2011 Order to Show Cause satisfied. The Court notes, however, that this Order does not render subject-matter jurisdiction indisputable or conclusively established. Federal Rule

of Civil Procedure 12(h)(3) states: "If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action." *See also Arbaugh v. Y&H Corp.*, 546 U.S. 500, 506 (2006) (noting that "[t]he objection that a federal court lacks subject-matter jurisdiction . . . may be raised by a party, or by a court on its own initiative, at any stage in the litigation, even after trial and the entry of judgment.").

**SO ORDERED.**

A handwritten signature in black ink, appearing to read "Paul D. Borman", written over a horizontal line.

PAUL D. BORMAN  
UNITED STATES DISTRICT COURT JUDGE

Dated: 6-29-11  
Detroit, Michigan